

EXHIBIT B

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

TASER INTERNATIONAL, INC., et al.)
)
 Plaintiffs,)
)
 vs.) CIVIL ACTION
) FILE NO.:
) 1:10-CV-03108-JOF
 MORGAN STANLEY & CO., INC., et al.)
)
 Defendants.)

VIDEOTAPED DEPOSITION OF
DONNA T. CULVER
DECEMBER 15, 2010
9:30 A.M.

BONDURANT, MIXSON & ELMORE
1201 WEST PEACHTREE STREET, NW
SUITE 3900
ATLANTA, GEORGIA

CONTAINS CONFIDENTIAL PORTIONS
PURSUANT TO PROTECTIVE ORDER

REPORTED BY:
STEVEN S. HUSEBY, RPR
CCR-B-1372

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1	Q. Just names, right?	10:53:42	1	be covered and protected by the	10:55:42
2	A. Yeah, just names.	10:53:43	2	attorney-client privilege or any privilege?	10:55:44
3	Q. How did you come into contact with	10:53:44	3	MS. GONYEA: Ms. High, at this	10:55:46
4	them?	10:53:47	4	time I do not. I reiterate what I've	10:55:48
5	A. Through my husband.	10:53:47	5	explained earlier; if we would like to take a	10:55:51
6	Q. Other than the deposition preparation	10:53:48	6	break off the record we can continue these	10:55:53
7	that we discussed, how many meetings have you	10:53:57	7	discussions, but I'm instructing the witness	10:55:55
8	had with your attorneys in this action?	10:54:00	8	not to answer.	10:55:56
9	A. Just the one yesterday.	10:54:02	9	MS. HIGH: I don't need to take	10:55:57
10	Q. Did you have any other contacts with	10:54:05	10	the break off the record. I would like to get	10:55:59
11	these attorneys --	10:54:07	11	an understanding of what it is you all are	10:56:01
12	A. No.	10:54:08	12	actually claiming. I still don't feel that I	10:56:03
13	Q. -- besides the meeting yesterday?	10:54:08	13	do that. As you know we've contested this	10:56:05
14	A. No.	10:54:10	14	point in every deposition.	10:56:08
15	Q. Do you have an engagement letter with	10:54:10	15	I will ask Mrs. Culver whether she can or	10:56:10
16	your lawyers, or retainer agreement?	10:54:14	16	is willing to answer the question,	10:56:14
17	A. You would have to ask my husband. I	10:54:17	17	notwithstanding your attorney's instruction.	10:56:16
18	personally don't, unless I'm included in it	10:54:19	18	THE WITNESS: I prefer not to	10:56:19
19	with my husband.	10:54:24	19	answer.	10:56:21
20	Q. Do you recall signing any engagement	10:54:25	20	BY MS. HIGH:	10:56:22
21	letter?	10:54:27	21	Q. Okay. And I just want to put you on	10:56:22
22	A. I think I did.	10:54:27	22	notice that this is an issue that we will	10:56:24
23	Q. What type of fee arrangement do you	10:54:28	23	obviously have to take up outside of this	10:56:28
24	have with your lawyers?	10:54:33	24	context, and if we take it up and are	10:56:31
25	MS. GONYEA: Objection,	10:54:35	25	successful, we may need to recall you to come	10:56:36
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1	attorney-client privilege. I'll instruct the	10:54:35	1	back to continue this line of questioning. Do	10:56:38
2	witness not to answer.	10:54:37	2	you understand that?	10:56:40
3	MS. HIGH: What's the basis for	10:54:38	3	A. Yes.	10:56:40
4	the claim that this is a question that invades	10:54:39	4	Q. And that will be at your expense, do	10:56:42
5	the attorney-client privilege?	10:54:43	5	you understand that?	10:56:45
6	MS. GONYEA: The agreement between	10:54:44	6	A. Yes.	10:56:46
7	us and what it is is privileged, and I believe	10:54:46	7	Q. Okay. Have you ever paid any money to	10:56:47
8	expanding on what Mr. Caplan said yesterday,	10:54:50	8	your lawyers in connection with this lawsuit?	10:56:51
9	there's been effort on our part to confer with	10:54:52	9	MS. GONYEA: Object to the form.	10:56:53
10	defendants in discussing this, and no good	10:54:56	10	BY MS. HIGH:	10:56:58
11	faith effort has been made or returned at this	10:54:58	11	Q. You can answer.	10:56:58
12	point, so we're instructing her not to answer.	10:55:01	12	A. I -- you would have to ask my husband.	10:56:59
13	If you would like to continue those	10:55:04	13	MS. JONES: Can we take a quick	10:57:08
14	conversations between attorneys, we can do	10:55:06	14	break?	10:57:09
15	that, but at this time I instruct the witness	10:55:08	15	MS. GONYEA: Sure.	10:57:10
16	not to answer.	10:55:09	16	THE VIDEOGRAPHER: The time is	10:57:11
17	MS. HIGH: Well, as you know, I	10:55:10	17	10:57 a.m. We're now off the record.	10:57:13
18	disagree with your characterization in every	10:55:12	18	(Brief recess).	10:57:18
19	respect. I'm curious, though, the type of fee	10:55:15	19	THE VIDEOGRAPHER: The time is	11:04:38
20	arrangement, ask the question whether lawyers	10:55:19	20	11:04 a.m., we're back on the record.	11:04:48
21	are being paid on an hourly basis, whether	10:55:25	21	BY MS. HIGH:	11:04:48
22	there's some contingency fee. Can you explain	10:55:28	22	Q. Have you had any contact with anyone	11:04:52
23	to me any case law of which you are aware that	10:55:30	23	at Banc of America Securities?	11:04:54
24	provides under Georgia, or federal law now	10:55:34	24	A. Would it be -- I mean, I do have a	11:05:00
25	that we're here, that such arrangements would	10:55:37	25	Banc of America checking account, savings	11:05:02